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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,873	10/21/2003	Craig C. Mateer	035809-0101	3347
23524	7590	09/01/2006	EXAMINER	
FOLEY & LARDNER LLP 150 EAST GILMAN STREET P.O. BOX 1497 MADISON, WI 53701-1497			TRAN, KHOI H	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/689,873

Applicant(s)

MATEER, CRAIG C.

Examiner

Khoi H. Tran

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 21-31 and 33-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-31 and 33-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

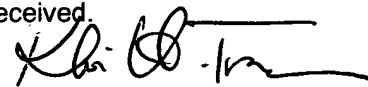
## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
KHOI H. TRAN  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 08/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

The previous Office Action filed on 04/28/2006 is a Non-Final Action. The Action had been inadvertently indicated as a Final Action on page 5.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21-23 and 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Purnell and Quackenbush, Design and Developed Airport Security Systems and Related Applications, now refers to as Purnell et al.

Purnell et al. disclose a system and method for managing the transportation of baggage for passengers per claimed invention. The system and method comprise providing a baggage transportation service at a remote property, away from a transportation center, i.e. from a hotel to an airport (page 2, paragraphs under “methodology”). The system and method comprise receiving travel information including departure information for a passenger via a communication network, biometrically verifying/registering the passenger, associating the passenger with corresponding baggage, tagging the baggage, providing receipt for the tagged baggage, and transporting the baggage to the transportation center (pages 1 and 2, “Requirements” and “methodology”). The system and method comprise providing an outsourcing arrangement for an employee at the remote property to perform both a

service associated with the baggage transportation service and a second service associated with security, concierge service, and valet service. When the passenger is biometrically verified by the employee handling the baggage, security service is rendered. When any traveling directions are given to the passenger by the employee handling the baggage, concierge service is rendered. When any services outside the scope of transporting the baggage are provided by the employee handling the baggage, valet services are rendered.

In regards to claims 22 and 34, Purnell et al. system and method comprise a kiosk for receiving travel information for the passenger (page 3, "...- Mobile common use workstations...").

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24 and 33-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Purnell and Quackenbush, Design and Developed Airport Security Systems and Related Applications, now refers to as Purnell et al.

In regards to claim 33, Purnell et al. disclose all elements per claimed invention. However, it is silent as to the specifics of printing a boarding pass for the passenger. Nevertheless, it is at least obvious and commonly well known that in order for a passenger to board a commercial aircraft, boarding ticket must be provided to the

passenger. Hence, it is obvious that Purnell et al. would include printing a boarding pass for the passenger.

In regards to claim 24, It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have printed a boarding pass for a passenger in conjunction with the baggage tag because it facilitates physical manifest of boarding pass for passenger. Printing boarding pass for passenger is commonly well known.

In regards to claim 34, Purnell et al. system and method comprise a kiosk for receiving travel information for the passenger (page 3, "...- Mobile common use workstations...").

In regards to claim 37, Purnell et al. system and method provide baggage pick up less than twelve hours from flight departure time.

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Purnell and Quackenbush, Design and Developed Airport Security Systems and Related Applications, now refers to as Purnell et al. in view of Hargrave et al. 6,662,078.

Purnell et al. disclose all elements per claimed invention as explained above including electronically tagged the baggage. However, it is silent as to the specifics of the tag being a barcode.

Hargrave et al. '078 teach that barcode tag for baggage is commonly well known.

It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided Purnell et al. tag with commonly well known

barcode technology because it facilitates means for identifying and tracking baggage, as taught by Hargrave et al. '078.

***Response to Arguments***

6. Applicant's arguments filed on 08/01/2006 with respect to claims 21-31 and 33-40 have been considered. However they have been found to be not persuasive.

Applicant argued that Purnell et al. disclose "no security service associated with an operation at the remote property". This argument is not persuasive. Applicant's attention is directed to Purnell et al. teaching that the security service is provided "at" the remote location, i.e. hotel, away from the airport. Purnell et al. comprise the claimed second service, security service.

Applicant argued that no valet service is disclosed or suggested by Purnell et al. This argument is not persuasive. It is the Office's position that when the employee handles the baggage, i.e. receiving the luggage from a customer, concierge service has been rendered. It is the Office's position that when the employee provides any services outside the scope of transporting the baggage, i.e. greeting a customer or providing any informative information concerning customer's flight, concierge service has been rendered.

Applicant argued that different printing device is required to print a boarding pass than to print a baggage claim ticket. Hence, additional printing device is required of Purnell et al. This argument is not persuasive because of its purely conjectural nature. Purnell et al. teach that mobile workstation including printing equipment is made available at the time of baggage handling. Purnell et al. also show that access to all

airline reservation and departure control systems is made available for the mobile workstation. Gleaning from the teaching that providing boarding pass is commonly well known and the readily available mobile workstation by Purnell et al., it would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have printed a boarding pass for a passenger in conjunction with the baggage tag because it facilitates physical manifest of boarding pass for passenger.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

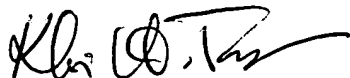
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoi H. Tran whose telephone number is (571) 272-6919. The examiner can normally be reached on Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
KHT

08/28/2006